

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION**

FORT GORDON HOUSING, LLC
d/b/a BALFOUR BEATTY
COMMUNITIES,

Plaintiff,

v.

PERCY JOHNSON and PATRICIA
JOHNSON,

Defendants.

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CV 119-094

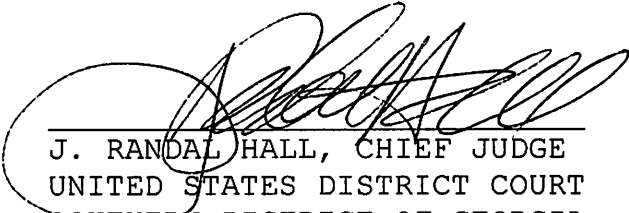
**ORDER
&
WRIT OF POSSESSION**

The Court held a dispossession hearing in this matter on Friday, October 18, 2019, which it continued until Monday, October 21, 2019. In their answer, Defendants raised Plaintiff's alleged failure to provide a reasonable accommodation as a defense or counterclaim. In the hearing, the Court heard evidence from the Parties and concluded that, assuming that failure to reasonably accommodate is a recognized defense to dispossession under the Fair Housing Act ("FHA"): (1) Mr. Johnson is a disabled or handicap individual under the FHA; (2) Defendants requested a reasonable accommodation of a later rent due date; but (3) Considering Mr. Johnson receives his disability payment by direct deposit on the first day of every month and owed rent on the fifth day of every

month, Defendants failed to show that Plaintiff's refusal to grant the accommodation was the cause of Defendants' failure to pay rent. Accordingly, the Court **DIRECTS** the Clerk to **ENTER JUDGMENT** in favor of Plaintiff and against Defendants in the amount **\$5,425.00**.¹

Furthermore, the Court **ORDERS** the United States Marshal or any other lawful officer to remove, as allowed under O.C.G.A. § 44-7-55(c), Defendants, together with their property found thereon, from the premises of 1926 B Goodman Drive, Fort Gordon, Georgia 30905, and deliver full and quiet possession to Plaintiff.

ORDER ENTERED at Augusta, Georgia, this 22nd day of October, 2019.



J. RANDAL HALL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

¹ Although Plaintiff requested court costs and reasonable attorney's fees in its amended complaint (Doc. 5, at 2), Plaintiff did not offer evidence of such in the hearing. Accordingly, the Court has no basis to award the requested fees and costs.